#### Congress of the United States Washington, DC 20515

February 15, 2011

The Honorable Julius Genachowski Chairman Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Dear Chairman Genachowski:

Access to, and effective use of, the public airwaves are vital to our economic, public safety and national security interests. The House of Representatives is considering authorizing the Federal Communications Commission to auction spectrum that has been voluntarily relinquished by current licensees and to share in the auction proceeds with those entities. While we recognize that such an arrangement has the potential to fairly and efficiently increase our usage of the spectrum, we must be diligent in obtaining the information needed to serve the best interests of our constituents.

As we move forward, it would be beneficial to have a comprehensive inventory of the nation's airwaves – both governmental and commercial – so, as legislators, we have a complete picture of who is licensed to use what airwaves and how effectively they are being used. In the last Congress, the House of Representatives overwhelmingly passed a bill which would have provided a framework for the Commission to initiate such an inventory.

Additionally, a voluntary incentive auction arrangement will need to address several questions. If a licensee opts to participate in a voluntary incentive auction, what will be the effect on those licensees who opt to retain their spectrum? Where and how will they be relocated? Will there be assurances to those licensees that their new channels will be as strong and robust as their previous channels? How do you plan to protect and educate those viewers who rely on existing over-the-air services?

It is vital that we be prepared to manage the ever increasing demands on our spectrum. We aim for solutions that protect the public interest by encouraging efficient use of all our public airwaves. Opening up additional spectrum for wireless broadband capabilities is critical to innovation and job creation in America, as is protecting our local television broadcasting system. We look forward to working with you to compile this necessary and important information.

Sincerely,

Representative Robert Latta

Member of Congress

Representative John Barrow

Member of Congress

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Representative Greg Walden Member of Congress

Ji Markon

Representative Jim Matheson Member of Congress

Representative Charlie Bass Member of Congress

Representative Marsha Blackburn

Member of Congress

Representative Cathy McMorris Rougers

Member of Congress

Representative Joe Barton Member of Congress

Representative Brett Guthrie Member of Congress

Representative Gene Green Member of Congress

Representative Brian Bilbray Member of Congress ROBERT E. LATTA STH DISTRICT, OHIO

**ASSISTANT MINORITY WHIP** 

COMMITTEE ON ENERGY AND COMMERCE

Subcommittee on Communications, Technology and the Internet

> SUBCOMMITTEE ON COMMERCE, TRADE AND CONSUMER PROTECTION

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

# Congress of the United States House of Representatives Washington, VC 20515—3505

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	RE:(	tter to Chairman	
	TOTAL P	GES (including cover):	
-	FROM:	Robert E. Latta, Member of Congress Ryan Walker, Chief of Staff Allison Witt, Legislative Director Courtney Powell, Scheduler/Executive Assistant Izzy Santa, Press Secretary Shane Skelton, Legislative Assistant Bethany Peck, Legislative Assistant Jason Isakovic, Legislative Correspondent Erin Partee, Staff Assistant	
	NOTES: _	We would like a response,	thanker!



March 18, 2011

The Honorable Robert E. Latta U.S. House of Representatives 1323 Longworth House Office Building Washington, D.C. 20515

#### Dear Congressman Latta:

Thank you for your letter encouraging the effective use of our nation's spectrum resources. As you note, the mobile revolution has placed tremendous demands on our nation's spectrum. I agree that incentive auctions have the potential to fairly and efficiently increase the productive use of spectrum, which is why they are a cornerstone of the Commission's proposal to identify opportunities to free up spectrum for wireless broadband. I am pleased that Congress is seriously considering granting the Commission the authority to conduct them.

I also share your view that it is beneficial to inventory the nation's spectrum. This is why for more than a year the Commission has conducted – and has now completed – a baseline spectrum inventory. While a spectrum inventory is inherently an iterative process, it is possible to take a detailed snapshot of how spectrum is currently used, who holds spectrum licenses and where spectrum is available. The FCC has inventoried the spectrum over which it has jurisdiction – commercial spectrum – but has also worked with our colleagues at NTIA, who have undertaken to look at federal government spectrum, over which it has jurisdiction

The Commission's baseline inventory is one of the most substantial and comprehensive reviews of spectrum in its history. Through our systematic process, we have developed two tools – LicenseView¹ and the Spectrum Dashboard² – that reflect our understanding of where the most significant spectrum opportunities lie. LicenseView is a comprehensive online portal to information about each spectrum license; it presents data from multiple FCC systems in a searchable, user-friendly manner. The Spectrum Dashboard, originally released last year, identifies how non-Federal spectrum is currently being used, who holds spectrum licenses and where spectrum is available. The Commission just released Spectrum Dashboard 2.0, an upgraded version that provides more granular information about spectrum holdings, including the ability to determine the extent of licensing within counties and on tribal lands, and offers additional insights on the secondary market in spectrum licenses through the addition of leasing information.

Our work in creating and maintaining a spectrum inventory has provided the necessary information to determine how best to unleash significant additional spectrum for wireless broadband within the next ten years. It has enabled us to obtain a more complete picture of what

<sup>&</sup>lt;sup>2</sup> See http://reboot.fcc.gov/reform/systems/spectrum-dashboard.

With respect to voluntary incentive auctions, I recommend that Congress grant the Commission the authority to conduct them in a manner that encourages a healthy and robust broadcasting industry. Our plan is designed to minimize the number of stations that would need to switch frequencies as part of the realignment process and for those that do, to accomplish that task in a way that causes little or no harm to broadcasters and their viewers. Our proposal includes reimbursing broadcasters for out-of-pocket costs incurred in relocating and limiting loss of service to over-the-air television viewers. Fortunately, this process should be far less complex than the transition to digital television, as it requires only moves from one frequency to another rather than a wholesale change in technology. Indeed, we anticipate that the consumer impact will be quite small, as any shift in broadcaster frequencies will merely require that over-the-air viewers rescan their televisions.

My number one goal in this process is to maintain a strong over-the-air broadcast service while meeting growing consumer demand for mobile broadband. Our baseline spectrum inventory has enabled us to move forward in a strategic and targeted fashion, and I look forward to working with you and your staff to ensure that our nation finds novel ways to realize the full potential that all wireless services can offer and spur job creation, innovation and U.S. global competitiveness.

Sincerely,



March 18, 2011

The Honorable John Barrow U.S. House of Representatives 2202 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Barrow:

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March 18, 2011

The Honorable Joe Barton U.S. House of Representatives 2109 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Barton:

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March 18, 2011

The Honorable Charles Bass U.S. House of Representatives 2350 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Bass:

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March 18, 2011

The Honorable Brian Bilbray U.S. House of Representatives 2410 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Bilbray:

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March 18, 2011

The Honorable Marsha Blackburn U.S. House of Representatives 217 Cannon House Office Building Washington, D.C. 20515

Dear Congresswoman Blackburn:

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March 18, 2011

The Honorable Gene Green U.S. House of Representatives 2470 Rayburn House Office Building Washington, D.C. 20515

Dear Congressman Green:

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March 18, 2011

The Honorable Brett Guthrie U.S. House of Representatives 308 Cannon House Office Building Washington, D.C. 20515

#### Dear Congressman Guthrie:

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March 18, 2011

The Honorable Jim Matheson U.S. House of Representatives 2434 Rayburn House Office Building Washington, D.C. 20515

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The Honorable Cathy McMorris Rodgers U.S. House of Representatives 2421 Rayburn House Office Building Washington, D.C. 20515

Dear Congresswoman McMorris Rodgers:

Thank you for your letter encouraging the effective use of our nation's spectrum resources. As you note, the mobile revolution has placed tremendous demands on our nation's spectrum. I agree that incentive auctions have the potential to fairly and efficiently increase the productive use of spectrum, which is why they are a cornerstone of the Commission's proposal to identify opportunities to free up spectrum for wireless broadband. I am pleased that Congress is seriously considering granting the Commission the authority to conduct them.

I also share your view that it is beneficial to inventory the nation's spectrum. This is why for more than a year the Commission has conducted – and has now completed – a baseline spectrum inventory. While a spectrum inventory is inherently an iterative process, it is possible to take a detailed snapshot of how spectrum is currently used, who holds spectrum licenses and where spectrum is available. The FCC has inventoried the spectrum over which it has jurisdiction – commercial spectrum – but has also worked with our colleagues at NTIA, who have undertaken to look at federal government spectrum, over which it has jurisdiction

The Commission's baseline inventory is one of the most substantial and comprehensive reviews of spectrum in its history. Through our systematic process, we have developed two tools – LicenseView¹ and the Spectrum Dashboard² – that reflect our understanding of where the most significant spectrum opportunities lie. LicenseView is a comprehensive online portal to information about each spectrum license; it presents data from multiple FCC systems in a searchable, user-friendly manner. The Spectrum Dashboard, originally released last year, identifies how non-Federal spectrum is currently being used, who holds spectrum licenses and where spectrum is available. The Commission just released Spectrum Dashboard 2.0, an upgraded version that provides more granular information about spectrum holdings, including the ability to determine the extent of licensing within counties and on tribal lands, and offers additional insights on the secondary market in spectrum licenses through the addition of leasing information.

Our work in creating and maintaining a spectrum inventory has provided the necessary information to determine how best to unleash significant additional spectrum for wireless broadband within the next ten years. It has enabled us to obtain a more complete picture of what

<sup>&</sup>lt;sup>2</sup> See http://reboot.fcc.gov/reform/systems/spectrum-dashboard.

With respect to voluntary incentive auctions, I recommend that Congress grant the Commission the authority to conduct them in a manner that encourages a healthy and robust broadcasting industry. Our plan is designed to minimize the number of stations that would need to switch frequencies as part of the realignment process and for those that do, to accomplish that task in a way that causes little or no harm to broadcasters and their viewers. Our proposal includes reimbursing broadcasters for out-of-pocket costs incurred in relocating and limiting loss of service to over-the-air television viewers. Fortunately, this process should be far less complex than the transition to digital television, as it requires only moves from one frequency to another rather than a wholesale change in technology. Indeed, we anticipate that the consumer impact will be quite small, as any shift in broadcaster frequencies will merely require that over-the-air viewers rescan their televisions.

My number one goal in this process is to maintain a strong over-the-air broadcast service while meeting growing consumer demand for mobile broadband. Our baseline spectrum inventory has enabled us to move forward in a strategic and targeted fashion, and I look forward to working with you and your staff to ensure that our nation finds novel ways to realize the full potential that all wireless services can offer and spur job creation, innovation and U.S. global competitiveness.

Sincerely,